

Amendment and Response
Applicants: Patrick P. Russo et al.
Serial No.: 10/074,740

Attorney Docket: EV31014US

Amendments to the claims:

This listing of claims will replace all prior versions and listing of claims in this application:

1 (Canceled).

2 (Currently Amended). The catheter assembly according to Claim 35 wherein said tip tapers radially inwardly toward a distal end thereof.

3 (Currently Amended). The catheter assembly according to Claim 2 wherein said tip is attached to a distal end of ~~the~~ a catheter.

4 (Currently Amended). The catheter assembly according to Claim 3 wherein said ~~catheter~~ distal tip is sized to be positioned within a lumen of a human body.

5 (Currently Amended). The catheter assembly according to Claim 3 wherein said ~~catheter~~ distal tip is sized to be positioned within a blood vessel.

6 (Currently Amended). The catheter assembly according to Claim 5 wherein said ~~catheter~~ distal tip has a lumen sized to receive a guidewire.

7 (Canceled).

8 (Currently Amended). A retrieval catheter assembly ~~having a distal tip for use in retrieving a medical device~~, comprising:

a catheter;

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a wall defining ~~the~~ a distal tip, said tip defining a lumen, the wall having a proximal end and a distal end, wherein said wall has a curved portion at said distal end curving inwardly toward an axis of said lumen, the wall having a thickness which tapers from a greater thickness at the proximal end to a lesser thickness at the distal end:

an embolic protection device disposed on a shaft, the shaft being disposed at least in part in the lumen and extending distally of the catheter; and

the wall having a diameter at the distal end that is less than a diameter of the ~~medical~~ embolic protection device, the wall having an undeflected configuration prior to retrieval of the ~~medical~~ embolic protection device into the lumen and a deflected configuration during retrieval of the ~~medical~~ embolic protection device into the lumen, the distal end of the wall being rolled inwardly in the deflected configuration such that a distance between proximal and distal ends of the wall is less in the deflected configuration than in the undeflected configuration.

9 (Currently Amended). The catheter assembly according to Claim 8 wherein said distal tip is attached to a distal end of the catheter.

10 (Currently Amended). The catheter assembly according to Claim 9 wherein said catheter is sized to be advanced within a blood vessel.

11 (Currently Amended). The catheter assembly according to Claim 10 wherein said catheter has a lumen and said catheter is sized to be advanced over a guidewire extending through the catheter lumen.

12 (Canceled).

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13 (Currently Amended). The catheter assembly according to Claim 11 wherein said curved portion is enlargeable to retrieve said device into said lumen of said distal tip.

Claims 14 to 15 (Canceled).

16 (Currently Amended). The catheter assembly according to Claim ~~15~~ 13 wherein said distal tip has a diameter that decreases as it progresses towards said curved portion.

17 (Currently Amended). A retrieval catheter assembly for use in retrieving a medical device comprising:

a catheter having a distal tip comprising a wall defining a lumen wherein said distal tip wall has a taper wall thickness which tapers from a greater thickness at a proximal end of the wall to a lesser thickness at towards a distal end of the wall and wherein at said distal end said wall curves inwardly towards said lumen;

an embolic protection device disposed on a shaft, the shaft being disposed at least in part in the lumen and extending distally of the distal tip; and

the lumen having a diameter at a lumen distal end that is less than a diameter of the medical embolic protection device, the wall having an undeflected configuration prior to retrieval of the medical embolic protection device into the lumen and a deflected configuration during retrieval of the medical embolic protection device into the lumen, a distance between proximal and distal ends of the wall is less in the deflected configuration than in the undeflected configuration when the distal end of the wall is rolled inwardly in the deflected configuration.

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18 (Canceled).

19 (Currently Amended). The catheter assembly according to Claim ~~18~~ 17 wherein said catheter is sized to be positioned within a lumen of a patient's body.

20 (Canceled).

21 (Currently Amended). The catheter assembly according to Claim ~~20~~ 19 wherein said embolic protection device is sized and adapted to contain particulate matter therein.

Claims 22 to 24 (Canceled).

25 (Currently Amended). The catheter assembly according to Claim 17 wherein after retrieving the ~~medical~~ embolic protection device within the lumen, the wall is ~~adapted~~ returns to ~~contract to~~ the undeflected configuration.

26 (Canceled).

27 (Currently Amended). A medical device comprising:

a catheter having a tubular member connected to and in communication with a catheter distal end;

wherein said tubular member has a wall forming a lumen wherein said wall has a thickness that ~~is tapered~~ tapers in a decreasing manner from a wall proximal end towards a wall distal end, said distal end of said wall being rolled inwardly towards said lumen forming a rolled tip, said rolled tip being sized to receive a

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~~protection device into said lumen~~ said distal end of said wall curving inwardly towards said lumen; and

the wall having an undeflected configuration prior to retrieval of the a protection device into the lumen and a deflected configuration during retrieval of the protection device into the lumen, said distal end of said wall being rolled inwardly towards said lumen forming a rolled tip in the deflected configuration and a distance between proximal and distal ends of the wall is less in the deflected configuration than in the undeflected configuration.

Claims 28 to 30 (Canceled).

31 (Previously Presented). The medical device according to Claim 27 wherein said protection device is sized and adapted to contain captured emboli and said wall is radially extensible to retrieve the protection device such that emboli are prevented from releasing from the protection device.

32 (Previously Presented). The medical device according to Claim 27 wherein said tip has a low durometer.

33 (Currently Amended). The medical device according to Claim 27 wherein after said protection device is retrieved within said lumen, said wall ~~is adapted to contract~~ returns to the undeflected configuration.

34 (Previously Presented). The medical device according to Claim 27 wherein said distal tip comprises a material that is deformable, conformable, compliant or elastic.

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35 (Currently Amended). A ~~medical~~ catheter assembly ~~for use in retrieving a medical device from within a body vessel,~~ comprising:

a distal tip having a wall with an inner surface and an outer surface, the wall having a distal end and a proximal end, the inner surface defining a lumen, the outer surface tapering inwardly toward the distal end, the wall having a thickness between the inner surface and outer surface which tapers in a decreasing manner in a direction from the proximal end to the distal end, the distal end of the wall curving inwardly toward the lumen;

an embolic protection device disposed on a shaft and the shaft disposed at least in part in the lumen and extending distally of the distal tip; and

the lumen having a diameter at the distal end that is less than a diameter of the ~~medical~~ embolic protection device, the wall having an undeflected configuration prior to retrieval of the ~~medical~~ embolic protection device into the lumen and a deflected configuration during retrieval of the ~~medical~~ embolic protection device into the lumen, the distal end being rolled inwardly in the deflected configuration such that a distance between the proximal and distal ends of the wall is less in the deflected configuration than in the undeflected configuration.

36 (Currently Amended). The catheter assembly according to claim 35, wherein the distal tip comprises a material that is conformable, deformable, compliant, or elastic.

37 (Currently Amended). The catheter assembly according to claim 35 that is at least partly radiopaque.

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38 (Currently Amended). The catheter assembly according to claim 8 that is at least partly radiopaque.